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EXAMINER

NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 12/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/576,927

Applicant(s)

REISMAN, RICHARD

Examiner

Quang N. Nguyen

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/23/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10-15,17-22 and 24-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10-15,17-22 and 24-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). 20041028.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 20040923. 6) ☐ Other:

Detail Action

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/10/2004 has been entered.

Claims 1, 8, 15, 22, 29-32, 36 and 39 have been amended. Claims 2, 9, 16 and 23 have been cancelled, without prejudice. Claims 51-62 have been added as new claims. Claims 1, 3-8, 10-15, 17-22 and 24-62 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 3-5, 8, 10-12, 15, 17-19, 22, 24-26 and 29-59 are rejected under 35 U.S.C. 102(e) as being anticipated by Berstis et al. (US 6,092,100), herein after referred as Berstis.

4. As to claim 1, Berstis teaches a method for finding, in response to entry by a user of a resource identity signifier, a single intended target resource intended by the user to uniquely correspond to the resource identity signifier, among a plurality of resources, the method comprising:

receiving a user input (*receiving a character string from a user, step 51 of Fig. 4*);
recognizing the user input as a resource identity signifier (*a test is done at steps 52 and 55 of Fig. 4 to determine whether the received string as a resource identify signifier such as a target server name or a target server IP address*); and

accessing a database to determine (*accessing databases including an index of resources available on the network and information regarding user feedback gathered in previous executions*), based on the database information including the multi-user

feedback (based on the multi-user feedback information from the databases of one or more external dedicated servers 46-46n which maybe located at or associated with an Internet Service Provider "ISP" 48), which, if any, of the indexed resources is likely to be the intended target resource based on the recognized resource identify signifier (the received character string is indexed into a lexicon of server IP names that have been used by the Web client over a given "history" period to be matched against any entry in the lexicon with respect to a given confidence level, i.e., a predetermined threshold, to determine the "best" match, i.e., the intended target resource) (Berstis, Figs. 4-5 and corresponding text, C2: L27-42, C5: L24-35 and L50-67 and C6: L1-16).

5. As to claim 3, Berstis teaches the method of claim 1, wherein a resource is determined, at the accessing step, as likely to be the intended target resource if the database information indicates that a confidence level associated with that resource is of at least a predetermined level, i.e., at least a predetermined threshold (Berstis, C6: L12-16).

6. As to claim 4, Berstis teaches the method of claim 3, wherein if none of the indexed resources has an associated confidence level of at least the predetermined level, the method further comprises the step of:

presenting the user with a list of one or more links to possible resources, the list being ordered according to confidence level, with a resource having a highest confidence level being ranked highest (Berstis, C6: L17-39).

7. As to claim 5, Berstis teaches the method of claim 3, wherein the method further comprises the steps of:

causing a computer of the user so as to enable that computer to connect to a URL of an indexed resource having a highest confidence level (*i.e., if the user-entered character string best "matches" a URL entry in the lexicon by the predetermined threshold, the browser is automatically launched to the "best matched" URL*) (Berstis, C6: L12-16); and

presenting the user with a list of one or more links to possible resources, the list being ordered according to confidence level, with a resource having a highest confidence level being ranked highest (Berstis, C6: L17-39).

8. Claims 8 and 10-12 are corresponding apparatus claims of method claims 1 and 3-5; therefore, they are rejected under the same rationale.

9. Claims 15 and 17-19 are corresponding system claims of method claims 1 and 3-5; therefore, they are rejected under the same rationale.

10. Claims 22 and 24-26 are corresponding computer-readable storage medium claims of method claims 1 and 3-5; therefore, they are rejected under the same rationale.

11. Claims 29-31 are corresponding system, method and apparatus claims of method claim 1; therefore, they are rejected under the same rationale.

12. As to claims 32-35, Berstis teaches a method of finding a single, intended target resource among a plurality of resources available on a network, the method comprising the steps of:

obtaining a user input (*i.e., receiving the user-entered character string for the intended target resource as in step 51 of Fig. 4*);

recognizing the user input as a resource identity signifier (*a test is done at steps 52 and 55 of Fig. 4 to determine whether the received string as a resource identify signifier such as a target server name or a target server IP address*); and

utilizing the obtained feedback information gathered from a plurality of previous users stored in a database (*i.e., utilizing the obtained feedback information stored in a local history list/database and/or databases of one or more external dedicated servers 46-46n, which maybe located at or associated with an Internet Service Provider "ISP" 48, that preferably contain a more broad-based archive of URLs*) to determine a resource likely to be the single, intended target resource (Berstis, Figs. 4-5, C2: L27-42, C5: L24-36 and L50-67 and C6: L1-45).

13. Claims 36-38 are corresponding apparatus claims of method claims 32-35; therefore, they are rejected under the same rationale.

14. Claims 39-42 are corresponding computer-readable storage medium claims of method claims 32-35; therefore, they are rejected under the same rationale.

15. As to claims 43-44, Berstis teaches the method of claim 1, further comprising the steps of causing a computer of the user to connect to the determined intended resource and display the determined intended target resource, if any (Berstis, C6: L12-16)

16. Claims 45-46 are corresponding apparatus claims of method claims 43-44; therefore, they are rejected under the same rationale.

17. Claims 47-48 are corresponding system claims of method claims 43-44; therefore, they are rejected under the same rationale.

18. Claims 49-50 are corresponding computer-readable medium claims of method claims 43-44; therefore, they are rejected under the same rationale.

19. Claims 51-53 are corresponding method claims of method claims 32-35; therefore, they are rejected under the same rationale.

20. Claims 54-56 are corresponding apparatus claims of method claims 51-53; therefore, they are rejected under the same rationale.

21. Claims 57-59 are corresponding computer-readable storage medium claims of method claims 51-53; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. **Claims 6-7, 13-14, 20-21 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis, in view of Edlund et al. (US 6,546,388), herein after referred as Edlund.**

24. As to claim 6, Berstis teaches the method of claim 4, but does not explicitly teach if a link has been selected, updating the database information so as to increase the confidence level associated with the mapping between the resource identity signifier and the address of the selected link and vice versa.

In the related art, Edlund teaches a system and method of metadata search ranking for presenting to an end-user the matching search results of a search in an index list of information wherein a Monitor Agent (*component 0205 of Fig. 2*) monitors the user's selections of search results. Every time the user selects a search result item

for further viewing from the list of results, the Monitor Agent will then update the Ranking Database (*component 0207 of Fig. 2*) to increase the popularity count/weight (*i.e., the confidence level*) of the selected URL accordingly (*as in step 408 of Fig. 4*) (Edlund, Figs. 2, 4, and corresponding text, C9: L17-51 and C10: L50-67).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Berstis and Edlund to update the database (*ranking*) information so as to increase the confidence level (*popularity count/weight*) of the selected link (URL) because it would allow the system maintain the current/up to date confidence level (*popularity count/weight*) of associated indexed resources (*URLs, web sites, web pages, links, files, etc.*) from returned search results in order to determine the order in which the search results are presented and displayed and which of the returned search results is likely to be the intended target resource that the user's computer will be connected to.

25. Claim 7 is a corresponding claim of claim 6; therefore, it is rejected under the same rationale.

26. Claims 13-14 are corresponding apparatus claims of claims 6-7; therefore, they are rejected under the same rationale.

27. Claims 20-21 are corresponding system claims of claims 6-7; therefore, they are rejected under the same rationale.

28. Claims 27-28 are corresponding computer-readable storage medium claims of claims 6-7; therefore, they are rejected under the same rationale.

29. Claims 60-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis, in view of Kyne et al (US 6,615,237), herein after referred as Kyne.

30. As to claim 60, Berstis teaches method of finding a single, intended target resource among a plurality of resources available on the Internet, comprising:

obtaining a user input (*i.e., receiving the user-entered character string for the intended target resource as in step 51 of Fig. 4*);

recognizing the user input as a resource identity signifier (*a test is done at steps 52 and 55 of Fig. 4 to determine whether the received string as a resource identify signifier such as a target server name or a target server IP address*); and

utilizing the obtained feedback information gathered from a plurality of previous users stored in a database (*i.e., utilizing the obtained feedback information stored in a local history list/database and/or databases of one or more external dedicated servers 46-46n, which maybe located at or associated with an Internet Service Provider "ISP" 48, that preferably contain a more broad-based archive of URLs*) to determine a resource likely to be the single, intended target resource (Berstis, Figs. 4-5, C2: L27-42, C5: L24-36 and L50-67 and C6: L1-45).

However, Berstis does not explicitly teach that the resource signifier does not include a URL or portion thereof.

In a related art, Kyne teaches a method for automatic searching for data in a network, which is capable of searching through various web pages and/or web directories accessible via the Internet to locate web pages or web sites associated with a phrase or keyword provided by the user (*i.e., using user's entered character string/input as a resource identity signifier*), wherein the received phrase or keyword does not include a URL or a portion thereof (*for example, user can enter "Smith Motor", "Smith Cars", "Smith Trucks", "Smith Motor Cars", or "Smith Used Cars" as the text string to get to the Smith Motor Company homepage; or a user can enter a text string corresponding to the name of a cartoon character to retrieve the web page associated with the creator of the cartoon character*) (Kyne, C3:L58 – C4:L20).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Berstis and Kyne to recognize the user input as a resource identify signifier which does not include a URL or a portion thereof since such methods were conventionally employed in the art to allow the system to search and to locate multiple web pages associated with the text string entered by a user and/or to identify a best web page from the retrieved multiple web pages to display to the user. Also, it allows the system to search for the information by modifying the (invalid/incorrect) text string entered by the user to locate the best matched resources without requiring the user to enter a valid/correct text string.

31. Claims 61-62 are corresponding apparatus and computer-readable storage claims of method claim 60; therefore, they are rejected under the same rationale.

Response to Arguments

32. In the remarks, applicant argued in substance that

(A) Prior Art is silent regarding the use of feedback information gathered from a plurality of previous users to determine a single, intended target resource.

As to point (A), **Berstis** teaches the browser that tests the user-entered character string against a local history list/database first and if it cannot find a match, the browser maybe launched to another server to test the user-entered character string against databases of one or more external dedicated servers 46-46n, which maybe located at or associated with an Internet Service Provider "ISP" 48, that preferably contain a more broad-based archive of URLs (*i.e., feedback information gathered from a plurality of previous users*) (**Berstis**, C2: L27-42 and C5:L12-35). **Berstis** also teaches the user-entered character string is indexed into a lexicon of server IP names to test against a portion of the available names (*e.g., those that have been most recently used "MRU", i.e., those that have been most selected by previous users, and/or those that have been MRU to respond to HTTP requests, i.e., outputs or results of the system*

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or process) to determine a single, intended or best target resource associated with the user-entered character string (**Berstis**, C7: L3-24). Hence, **Berstis** does teach the use of feedback information gathered from a plurality of previous users to determine a single, intended target resource.

33. Applicant's arguments as well as request for reconsideration filed on 08/10/2004 have been fully considered but they are not deemed to be persuasive.

34. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.


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35. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER